

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

ALTON JAMES NICKLEBERRY	§	
VS.	§	CIVIL ACTION NO. 9:18-CV-192
DR. JAMES DOUGLAS GEDDES, ET AL.	§	

Plaintiff Alton James Nickleberry, a prisoner previously confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Dr. James Douglas Geddes and Shonan Bonner.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and the pleadings. Plaintiff filed objections to the Magistrate Judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). For the reasons stated in the Magistrate Judge's Report and Recommendation, the court concludes that there is no genuine dispute as to any material fact on the issue of whether the defendants were deliberately indifferent

**\*\*NOT FOR PRINTED PUBLICATION\*\***

to Plaintiff's serious medical needs. *Farmer v. Brennan*, 511 U.S. 825, 832 (1994). As a result, the the Magistrate Judge correctly concluded that the defendants' motion for summary judgment on the ground of qualified immunity should be granted.

**ORDER**

Plaintiff's objections (document no. 98) are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge (document no. 96) is **ACCEPTED**. Defendants' motion for summary judgment (document no. 61) is **GRANTED**. A final judgment will be entered in accordance with the Magistrate Judge's recommendation.

So **ORDERED** and **SIGNED March 21, 2020**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, Senior District Judge